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U.S. DISTRICT COURT
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ADR

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TONY FERGUSON

E-FILING

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA- SAN JOSE

PETER FORTENBAUGH and BETTY LEE,
in their capacity as Trustees of THE PETER
FORTENBAUGH TRUST, a California Trust,

Plaintiffs,

vs.

CLASSICSTAR FINANCIAL SERVICES,
INC., a Delaware Corporation, GEOSTAR
CORPORATION, a Delaware Corporation,
GEOSTAR FINANCIAL SERVICES
CORPORATION, a Delaware Corporation,
TONY FERGUSON, and DOES 1 through 30,
inclusive,

Defendants.

Case No. C08 03898 PVT

DECLARATION OF TONY FERGUSON
IN SUPPORT OF DEFENDANTS
GEOSTAR CORPORATION, GEOSTAR
FINANCIAL SERVICES
CORPORATION, AND TONY
FERGUSON'S NOTICE OF REMOVAL
OF PLAINTIFFS' FIRST AMENDED
COMPLAINT TO FEDERAL COURT

Superior Court of the State of California
County of Santa Clara
Case No. 107cv084507

TO THE HONORABLE JUDGES OF THE UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF CALIFORNIA:

I, TONY FERGUSON, declare as follows:

1. I am an adult and Defendant in this action. I have personal knowledge of the facts set
forth in this Declaration and, if called as a witness, could and would testify competently to such
facts under oath.

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DECLARATION OF TONY FERGUSON IN SUPPORT OF NOTICE TO REMOVAL

RECEIVED TIME AUG. 12. 3:20PM

PRINT TIME AUG. 12. 3:21PM

1 2. On or around June 15, 2008, my counsel was served with Plaintiffs PETER
2 FORTENBAUGH and BETTY LEE, in their capacity as Trustees of THE PETER
3 FORTENBAUGH TRUST's ("FORTENBAUGH") First Amended Complaint. These
4 documents are attached as Exhibit A to the Declaration of Ruben Ruiz Filed in Support of
5 Geostar Corporation, Geostar Financial Services Corporation, and Tony Ferguson's Notice of
6 Removal.

7 3. I am a natural born United States citizen.

8 4. I am a resident of the State of Florida, and I spend the majority of my time within the
9 State of Florida. I intend to remain in the State of Florida. I, therefore, consider myself
10 domiciled in the State of Florida.

11 5. My principal place of employment is within the State of Florida at GeoStar
12 Corporation, 13907 Carrollwood Village Run. Tampa, FL 33624.

13 I declare under penalty of perjury under the laws of the State of California that the
14 foregoing is true and correct. Executed this 12 day of August, 2008 at Pebble Beach
15 California.

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17 By: Tony Ferguson
18 TONY FERGUSON
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Re: PETER FORTENBAUGH and BETTY LEE, in their capacity as Trustees of THE PETER FORTENBAUGH TRUST, a California Trust v. CLASSICSTAR FINANCIAL SERVICES, INC., a Delaware Corporation and DOES 1 through 30, inclusive
 Santa Clara County Superior Court Case No. 107CV084507

PROOF OF SERVICE – CCP §1013(a)(3)

STATE OF CALIFORNIA/COUNTY OF San Francisco

I am a citizen of the United States and an employee in the County of San Francisco. I am over the age of eighteen (18) years and not a party to the within action. My business address is BASSI, MARTINI, EDLIN & BLUM LLP, 351 California Street, Suite 200, San Francisco, California 94104.

On the date set forth below, I served the within:

DECLARATION OF TONY FERGUSON IN SUPPORT OF DEFENDANTS GEOSTAR CORPORATION, GEOSTAR FINANCIAL SERVICES CORPORATION, AND TONY FERGUSON'S NOTICE OF REMOVAL OF PLAINTIFFS' FIRST AMENDED COMPLAINT TO FEDERAL COURT

on the following parties:

HOWARD RICE, et al.
 Jeremy Kamras, Esq.
 Three Embarcadero Center, 7th Floor
 San Francisco, CA 94111-4021

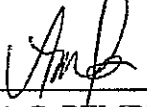
☒ **BY PERSONAL SERVICE:** I caused a copy of said documents to be hand delivered to the interested party at the address set forth above.

☐ **BY MAIL:** I caused such envelope to be deposited in the mail at San Francisco, California. I am readily familiar with the firm's practice for collection and processing of correspondence for mailing. It is deposited with the U.S. Postal Service on that same day in the ordinary course of business.

☐ **BY FEDERAL EXPRESS:** I caused such envelope to be deposited in the appropriate Federal Express envelope, to the Federal Express office located at 120 Bush Street, San Francisco, California 94104, to be delivered by the next business day. I am readily familiar with the firm's practice for collection and processing of correspondence for transmittal by Federal Express. It is deposited with Federal Express on that same day in the ordinary course of business.

☐ **BY FACSIMILE:** I caused said documents to be sent via facsimile to the interested party at the facsimile number set forth below.

I declare under penalty of perjury that the foregoing is true and correct and that this document is executed on August 14, 2008, at San Francisco, California.


 ALISHA C. PEMBER